The State Budget process is well underway and NYCOM is continuing to make its position known on a variety of initiatives contained (and not contained) within the plan. Although the State Legislature will not be in Albany next week, soon after they return to the Capitol on February 24, the Assembly and Senate will be introducing their one-house budgets. It is imperative that you contact your legislators now and let them know your position on those State Budget issues of greatest importance to you. We encourage you to review NYCOM’s Briefing on the 2020-21 Executive Budget. In addition, below are four policy issues that we ask you to bring to the attention of your legislators and make sure they are aware of NYCOM’s position.

**Criminal Justice Reforms** – The Executive Budget does not include specific proposals to address the widespread concern regarding the criminal justice reforms.

- **NYCOM’s Position**: NYCOM is making headway on the need for amendments to the discovery reforms that went into effect on January 1, and the Senate Majority plans to offer a set of changes, but we are a long way from it being resolved. If you have not done so already, have your governing body pass **NYCOM’s sample resolution** at your next meeting.

**Unrestricted Aid** – The Executive Budget does not include an increase in AIM funding for local governments.

- **NYCOM Position**: Cities and villages and their taxpayers have suffered through eleven years without an increase in unrestricted State aid (AIM funding). The fact that the tax cap is now permanent, coupled with the growing expense of local compliance with State mandates (e.g., the new discovery laws), only accentuates the need for the State to partner with its local governments and provide an increase in aid to all municipalities.

**Recreational Cannabis Opt-Out and Impact Aid** – The Executive Budget’s proposal to legalize recreational cannabis provides county governments and cities with a population over 100,000 with the authority to opt out which would allow them to prohibit any establishment or operation involving the cultivation, processing, distribution and sale of adult-use cannabis within their jurisdiction. In addition, the proposal imposes three taxes on the cultivation and sale of cannabis but none of that money flows to cities (outside the City of New York), villages and towns.

- **NYCOM Position**: All cities and villages, regardless of population size, must be given the authority to opt out by passing local legislation (or putting the question to voters via referendum). For those communities that do not opt out, they must retain the authority to regulate the location and hours of operation of cultivators, processors, distributors, dispensaries, and on-site consumption establishments. In addition, since the impacts of legalizing adult-use cannabis will be most directly felt at the local level, local governments must be given a share of the revenue that is
Infrastructure Funding – The Executive Budget maintains CHIPS funding at current year levels. While there is an additional $500 million to support water and wastewater infrastructure as well as water quality protection, the need far exceeds the amount available and the intended purposes for this funding go well beyond municipal governments. Furthermore, these funds do not support the tremendous need for replacement/upgrades of sewer/water lines but rather are frequently limited to those communities that are experiencing an emergency or economic hardship.

- **NYCOM Position:** In addition to supporting an increase in CHIPS, NYCOM strongly supports a funding stream – similar to or in conjunction with CHIPS funding – that would ensure every municipality would receive its own allocation for water/sewer infrastructure based on the amount of pipelines and mains owned and operated by the municipality. This would help local governments manage and invest in the replacement and rehabilitation of existing municipally owned and funded drinking water and sanitary sewer systems. In addition, it would allow for better coordination with local road reconstruction projects as many times municipalities defer road repair because they do not have the resources to address the failing water and sewer infrastructure that is just below the surface.

Small Wireless Facilities – The Executive Budget includes language that would establish uniform procedures affecting the siting of small wireless facilities and further restrict local authority over siting decisions, fees, and the ability to hold wireless companies responsible for infrastructure installed in the municipal right-of-way (ROW). Notably, this language would also prevent municipalities from imposing meaningful indemnification clauses in ROW occupancy agreements and would limit the bonding requirements a local government may impose on a wireless provider when installing facilities in the municipal ROW.

- **NYCOM’s Position:** NYCOM is strongly opposed to this language as it would support the wireless industry’s effort to eliminate all local oversight of wireless siting decisions in municipally owned and controlled rights-of-way. In addition, since there is no State financial plan impact associated with this language, there is no reason to include it as part of the State Budget.